

**BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554**

In the Matter of)	
)	
Notice of Inquiry on Improving)	GN Docket No 17-142
Competitive Broadband Access to)	
Multiple Tenant Environments)	

REPLY COMMENTS OF THE CITY OF SEATTLE

The City of Seattle hereby submits reply comments concerning the Notice of Inquiry (NOI) on ways to facilitate greater consumer choice and enhance broadband deployment in multiple tenant environments (MTEs). The policy of the City of Seattle is to ensure all Seattle residents have access to equal, affordable, and competitive broadband internet services. Seattle concurs with the FCC's goal of improving competitive broadband access to MTEs.

As indicated in our comments to the FCC filed in this docket on July 24, 2017, the City of Seattle has recently completed a survey of MTE occupants and MTE property managers/owners/developers in an effort to document the current state of competition in our MTE environment. The survey data is still being compiled and analyzed, however some findings can be stated at this point.

The survey of occupants of MTEs indicates that 47% of the 405 residents surveyed have a choice for their cable service provider and 68% have a choice for their Internet Service Provider (ISP)¹. Also, 88% say it is important to have a choice in communications providers. These results suggest that there is not sufficient competition in Seattle's MTE environment, and that the status quo may include barriers to competition in serving MTE residents. These results also indicate that MTE residents would prefer to have more competition than what currently exists.

The survey of MTE property managers indicates that most of the 10 managers surveyed have two or even three providers of high speed internet. Many of the

¹ Total results are accurate +/- 4.9% at the 95% confidence level, assuming equal proportions.

managers complained about problems with the providers and many do not fully understand the ramifications of their current agreements with the providers. The final report on the results of this survey will discuss the barriers to additional competition that were identified by property managers, including wiring issues, sharing space in telecom closets and the like.

The City also has had recent discussions with several ISPs who serve Seattle MDUs. The ISPs indicated that exclusive marketing agreements are used frequently; these agreements normally apply to all communications services (cable TV, broadband and phone). Each ISP indicated that they welcome the opportunity to serve buildings that are already being served by another provider.

The City of Seattle awaits the FCC's conclusions regarding exclusive marketing agreements, bulk billing agreements, exclusive wiring arrangements and revenue sharing arrangements. Should the FCC determine that any of these practices are contributing to a lack of competition in providing communications services to MTE tenants, then we support FCC efforts to limit such practices by service providers in a manner consistent with local codes and ordinances.

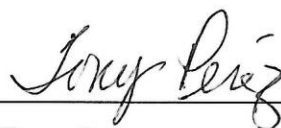
Seattle believes that the FCC should facilitate the compilation of workable solutions and methods that encourage competitive entry to MTEs. Compiling a list of proven measures that are working in this field would assist MTE property owners and local governments in choosing workable solutions that are applicable to their site-specific conditions. This would also assist in improving stakeholder's understanding of the complex relationship of MTE property owners and service providers.

Seattle wishes to emphasize our comments filed in July. Seattle does not believe that there are local regulations that may have the effect of inhibiting broadband deployment and competition within MTEs. Local actions are needed to address issues specific to MTE property owners and managers, who are business license holders and therefore subject to localities. This group of stakeholders is not subject to FCC rules and regulations in the same way that service providers are. Localities, in fact, share the stated goal of the FCC to improve competitive broadband access to MTEs, and they are taking positive steps to make this a reality in their communities.

Seattle believes that the Commission should not take any action that could serve to hamper the efforts of Seattle, Boston, San Francisco and other local governments to promote digital inclusion and competitive equity through voluntary efforts, competitive ecosystems, building codes and property management. We caution the FCC to be careful in its rulemaking to ensure that unintended consequences do not hinder local governments' ability to formulate policies and implement solutions within the MTE environment for the purposes of enhancing access to competitive broadband services.

Dated: August 22, 2017

Respectfully submitted,

A handwritten signature in cursive script, reading "Tony Perez", is positioned above a horizontal line.

Tony Perez

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